REMARKS

Claims 14, 17-23 and 25 are currently active.

Antecedent support for the amendments to Claim 14 and Claim 22 is found on page 6, lines 9-14, lines 20-23 and page 7, lines 8-14.

The Examiner has rejected Claims 14, 17-23 and 25 as being unpatentable over Srinivasan in view of Fore-Switch Definitions paper. Applicants respectfully traverse this rejection.

Referring to Srinivasan, there is disclosed virtual path management in hierarchical ATM networks. Srinivasan teaches an improved method for a dynamically adjusting virtual path connection bandwidth allocations in hierarchical ATM communication networks. Srinivasan teaches one method for dynamically realizing changes in virtual path connection routes and resource allocations is to control plane software on switches as is done with soft provisional virtual circuits. This method inherently possesses two drawbacks in that it uses a sequential node by node setup and configuration procedure may result in excessive and unacceptable virtual path connection adjustment delays and further requires additional

software to monitor virtual path connections and initiate adjustments, an already overloaded switches. See column 2, lines 28-37.

Dynamic management of virtual path connection routes and resource allocations can be done by continuously monitoring the network and reacting to repeated congestion patterns and topological changes caused by failures and editions of network elements such as links and nodes. The recently standardized simple network management protocol (SNMP) and the ATM management information base currently provide the basis for the network solutions. However, there are several drawbacks of performing dynamic management of virtual path connections using the management information base reads and writes. First, is its inefficiency in a distributed solution which would require various network managers distributed throughout the network to constantly read these management information base variables from the switches thus negatively impacting the performance of the switch agents. Second, is its inefficiency resulting from writing management information base variables to realize changes in virtual path connection routes and resource allocations which can be time consuming. See column 2, line 56-column 3, line 10. Thus, it must be stressed that the teachings of SNMP is in centralized systems and not distributed systems. Additionally, Srinivasan is silent regarding SNMP queries altogether or PNNI peer groups.

Furthermore, while SNMP is taught in Srinivasan, it is taught in the background and distinguished by Srinivasan themselves from the very distributed dynamic virtual path connection management system that the examiner relies upon for the teaching of a topology database in various switches. Accordingly, these distinct teachings are in conflict as is taught by Srinivasan themselves.

Claim 14 has the limitation that "any one switch providing all of the configuration for all of the S switches by attaching a system capabilities information group to a nodal information information group". It is respectfully submitted that the examiner is reading this limitation into the teachings of Srinivasan. All that Srinivasan teaches is that a server floods the other servers with the state of the nodes for which it is the primary server. See column 7, lines 18-20. Thus, Srinivasan teaches that the topology data base is formed from the information sent to it by each and every server. There is no teaching or suggestion that any one switch provides all the configuration information for all of the S switches, as is found in applicants' Claim 14. It is respectfully submitted that it is improper for the Examiner to assume that each switch has all the configuration information for all the other switches from the teachings of Srinivasan. Srinivasan does not teach this limitation and nowhere does it state or teach that any one switch has all the configuration information for all of the S switches, let alone provides all the configuration information for all the of switches. The teachings of Srinivasan only go as far as to state that the server builds the topology data base from

information flooded to it by each and every server. This means that Srinivasan teaches the topology data base is formed from information from many entities, not any one entity and not with a systems capability information group and a nodal information information group, as found in Claim 14.

In regard to FORE-Switch-MIB definitions paper, a review of this document simply shows that there may be certain information, although, applicants cannot find specifically the configuration information claimed in Claim 14 of a name of the switch, an IP address, a software version of the switch, and hardware type of the switch, taught in FORE-Switch-MIB definitions paper. Furthermore, nowhere does FORE-Switch-MIB definitions paper teach a topology data base with configuration information, nor any type of mechanism for sending configuration information from the topology database to the network and for receiving configuration information from the network.

Accordingly, the applied art of record fails to teach the limitation in Claim 14 of any one switch providing all the configuration information for all of the S switches by attaching a system capabilities information group to a nodal information information group.

The applied art of record fails to teach the imitation of configuration information includes a name of the switch, an IP address of the switch, a software version of the switch, and hardware type of the switch.

The applied art of record fails to teach the limitation that the switches send SNMP queries to each other to return retrieved configuration information from each other, and the switches respond to the SNMP queries by sending the requested configuration information to the switches which sent the SNMP queries.

The applied art of record fails to teach the limitation of "each switch having a system capabilities information group which allow the switching to store proprietary information without affecting the switches to interoperate, and a nodal information information group which has information about a particular logical node, all nodes in the peer group have a nodal information information group from every other logical node in the peer group."

Referring to Fore-Switch Definitions paper, it is just a list of definitions and nothing more.

It is black letter patent law that teachings cannot be taken out the context in which they are found. As explained above, the context of Srinivasan has to do with a

hierarchical distributed system. The context of Fore-Switch Definitions paper is literally just definitions regarding ATM for an ATM network. That is all. Basically, these contexts have nothing to do with each other.

Furthermore, there must be some teaching in the references themselves to combine the teachings the examiner is relying upon to arrive at applicants' claimed invention. Here there is no teaching. Fore-Switch Definitions paper is simply a list of definitions. Srinivasan is not concerned with all the different features listed in the definitions in Fore-Switch Definitions paper. There is no teaching or suggestion, let alone any indication or need that Srinivasan needs any feature listed in the definitions of Fore-Switch Definitions paper, other than that which is already identified in Srinivasan. This follows, because the purpose of Srinivasan is being able to better deal with distributed systems, and not the problem of applicants' claimed invention which is handling all network configuration information accessible from a single location as found on page 1, lines 10 and 11 of applicants' specification.

What is more, it is respectfully submitted the examiner is using hindsight to arrive at applicants' claimed invention. The Examiner is using applicants' claims as a road map to find all the different limitations in different references, and having found them concludes that applicants' claimed invention is arrived at. This is not patent law.

Furthermore, the Examiner is using this simple fact that Fore-Switch Definitions paper is just a list of definitions to prepare essentially any argument he desires because there are no additional teachings to identify the context and limit the use of the reference. Simply speaking, just because there are a list of definitions that appeared to have some of the features from applicants' claimed invention, in Fore-Switch Definitions paper, does not anywhere provide the basis to combine the teachings of Fore-Switch Definitions paper with the teachings of Srinivasan.

The Examiner states on page 3 of the Office Action that Srinivasan teaches a system information group and a nodal information group, PNNI groups, and logical nodes at column 6, line 45 through column 7, line 30. Applicants have carefully reviewed this section. Applicants respectfully submit that this section does not have such teachings. There is taught PTSPs and hello packets and PTSEs (column 6, line 58) to communicate information between switches. Any reference to peer groups is above that at column 6, lines 45-57, and does not refer to peer groups.

Accordingly, Claim 14 is patentable over the applied art of record. Claims 17, 18, 22, 23 and 25 are patentable for the reasons Claim 14 is patentable.

In view of the foregoing amendments and remarks, it is respectfully requested that the outstanding rejections and objections to this application be reconsidered and withdrawn, and Claims 14, 17-23 and 25, now in this application be allowed.

Respectfully submitted,

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